

REMARKS

Entry of the foregoing, re-examination and reconsideration of the subject matter identified in caption, as amended, pursuant to and consistent with 37 C.F.R. §1.116, and in light of the remarks which follow, are respectfully requested.

Claims 1, 2 and 5-9 remain pending in this application. Method claims 8 and 9 have been withdrawn from consideration on the merits.

Applicants acknowledge the interview held on March 16, 2004, between Examiner Vo and Applicants' Representative. The Examiner's courtesy and helpful suggestions are acknowledged with appreciation.

Claims 1, 2 and 5-7 were finally rejected under 35 U.S.C. §103(a) as unpatentable over JP 11-158305 "as evidenced by" U.S. Patent No. 6,284,828 to Takayama for the reasons set forth in paragraph (2) of the Office Action. Reconsideration and withdrawal of this rejection are respectfully requested for at least the following reasons.

The present claims are directed to porous polyolefin films prepared from compositions comprising 25 to 55% by weight of a polyolefinic resin and 75 to 45% by weight of an inorganic filler, where the polyolefinic resin comprises 98 to 70% by weight of a linear low density polyethylene and 2 to 30% by weight of a branched low density polyethylene. The compositions further contain 0.5 to 5 parts by weight of a liquid ethylene- α -olefin oligomer based on 100 parts by weight of the composition. The porous films of the invention possess a moisture permeability ranging from 1500 to 4000 g/m² • 24 hr. and a uniformness of thickness of 0.15 or less. High moisture permeability and a uniform thickness are important characteristics for porous films for use in diapers, water-proof building materials, reflective films, electric cell

separators and the like. The relied upon reference combination does not disclose or suggest porous films as defined in the claims.

JP '305 discloses the preparation of porous films from compositions containing a polyolefin blend of a linear, low density polyethylene and a branched, low density polyethylene, and an inorganic filler. JP '305 does not disclose or suggest the addition of a liquid ethylene/ α -olefin oligomer.

Takayama '828 is not concerned with the manufacture of porous polyolefin films. Rather, the entire thrust of the disclosure is directed toward improving the abrasion resistance and friction characteristics of components molded from polyacetal compositions. This is clearly evident from the Title (Polyacetal Resin Composition), the first ^{lines} ~~lines~~ of the specification (The present invention relates to a polyacetal resin composition . . .) and the claims of Takayama '838 (A polyacetal resin composition comprising . . .). The main component of the compositions of this reference is a polyacetal resin. Other required components include a polyolefin, an alkylene glycol polymer and a small amount of a filler. The addition of a lubricant is an optional feature. Several different classes of suitable lubricants are listed in columns 5-8 of the reference including silicones, α -olefin oligomers, paraffin, diphenyl ethers, fatty acid derivatives, and derivatives of aliphatic alcohols. Accordingly, Takayama '828 teaches the art that the friction and abrasion resistance of polyacetal resin compositions can be improved by adding a modified polyolefin, an alkylene glycol polymer, and 0.1 to 20 parts by weight of a filler.

There is nothing disclosed in Takayama '828 which suggests that the presence of the lubricants has any beneficial effects on the polyolefin resin component. The lubricants are designed to improve the molding characteristics of

the polyacetal resin compositions, not the properties of the polyolefin. Thus, there would be no motivation or incentive to those of ordinary skill in the art seeking to improve the manufacture of porous polyolefin films, to look to the disclosure of Takayama '828 which is concerned with improving friction and abrasion resistance of molded polyacetal resin compositions.

During the aforementioned interview, Examiner Vo mentioned that the compositions of Takayama '828 may contain up to 100 parts by weight of polyolefin and also contain inorganic fillers, and in this sense, are similar to the polyolefin/filler compositions used by Applicants to prepare the claimed films. However, the amounts of polyolefin and inorganic filler used in the polyacetal compositions of the Examples are very minor, not more than 10 parts of polyolefin and 1 part of filler. Thus, when reviewing the teachings of Takayama '828 taken as a whole, there would have been no motivation to combine the respective disclosures and arrive at the present invention.

Applicants also note that ethylene copolymer oligomers are only one of several classes of lubricants disclosed in the secondary reference. There is no teaching in this reference which would direct those of ordinary skill to select the oligomers as opposed to any of the other disclosed lubricants.

The above arguments were presented during the aforementioned interview. Examiner Vo indicated that these arguments were persuasive and that she would withdrawn the §103(a) rejection based on JP '305 and Takayama '828.

Upon the allowance of claims 1, 2 and 5-7, Applicants request that non-elected claims 8 and 9, which are dependent upon and include all the limitations of

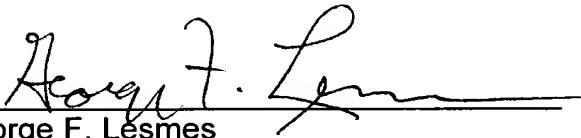
the product claims, be rejoined with claims 1, 2 and 5-7 as sanctioned in M.P.E.P. §821.04.

From the foregoing, further and favorable action in the form of a Notice of Allowance is believed to be next in order and such action is earnestly solicited. If there are any questions concerning this paper or the application in general, the Examiner is invited to telephone the undersigned at (703) 838-6683 at his earliest convenience.

Respectfully submitted,

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